

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING

TUESDAY, JUNE 10, 2008
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*
 - **Conference with Labor Negotiators pursuant to Government Code 54987.6.**
Negotiator: Erwin Young, Director of Human Resources. **Employee Organizations:** Sunnyvale Employees Association (SEA), and Service Employees International Union (SEIU) Local 715 (part-time employees)
 - **Conference with Real Property Negotiators (Government Code § 54956.8)**
Property: Fair Oaks Health Clinic site at Garland & Fair Oaks
Agency Negotiator: Amy Chan, City Manager
Negotiating parties: Patrick Love for the County of Santa Clara
Under Negotiation: price, terms of payment
4. Adjourn Special Meeting

6:15 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene Study Session – **Update of Water Resources Sub-Element**
4. Public Comments
5. Adjourn Special Meeting

7 P.M. REGULAR MEETING

SALUTE TO THE FLAG

ROLL CALL

(Per Council Policy, the City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain and will be placed at the beginning of the public hearings/general business portion of the ensuing agenda. At approximately 9:30 p.m., Council will make an

announcement indicating that items may not be heard after 11:30 p.m. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.)

CLOSED SESSION REPORT FOR June 10, 2008

Conference with Labor Negotiators pursuant to Government Code 54987.6. Negotiator: Erwin Young, Director of Human Resources. Employee Organizations: Sunnyvale Employees Association (SEA), and Service Employees International Union (SEIU) Local 715 (part-time employees)

Conference with Real Property Negotiators (Government Code § 54956.8)
Property: Fair Oaks Health Clinic site at Garland & Fair Oaks
Agency Negotiator: Amy Chan, City Manager
Negotiating parties: Patrick Love for the County of Santa Clara
Under Negotiation: price, terms of payment

SPECIAL ORDER OF THE DAY – Gay Pride Month Proclamation

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- 1.A. MOTION Approval of Draft Minutes of June 3, 2008
- 1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 08–184 No. 404

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.D. MOTION Program 736 Public Records and City Elections Budget Overrun and
RTC 08–188 Approval of Budget Modification No. 57

Staff Recommendation: Council approves Budget Modification No. 57 to appropriate \$162,552 from the General Fund 20-Year Resource Allocation Plan Reserve to cover the overage in the Public Records and City Elections Program for FY 2007/2008

Staff Contact: Gail Borkowski, (408) 730-7474

Personnel Items

- 1.E. RESOLUTION Amendment to the Salary Resolution – Military Reservist Extension of
MOTION Benefits and Supplemental Salary
RTC 08–185

Staff Recommendation: Council adopts a resolution to extend benefits and supplemental salary through June 30, 2009.

Staff Contact: Nicole Adamo, (408) 730-7496

Other Items

- 1.F. RESOLUTION Sunnyvale Pledge and Resolution in Support of Manufacturer
MOTION Responsibility ("Product Stewardship") Approach to Reducing Local
RTC 08-164 Government Costs for Disposal of Electronic Waste and Other
Hazardous Wastes

Staff Recommendation:

- Council authorizes the City Manager to sign the California Product Stewardship Council (CPSC) pledge of support;
- Council authorizes payment of \$2,000 for CPSC associate fees in FY 2008-2009; and
- Council adopts the model CPSC product stewardship resolution.

Staff Contact: Mark Bowers, (408) 730-7421

- 1.G. MOTION Appointment of Representative to Silicon Valley Library System Advisory
RTC 08-163 Board for the 2008-2010 Term

Staff Recommendation: Council appoints candidate Jim Griffith as nominated by the Board of Library Trustees.

Staff Contact: Deborah Barrow, (408) 730-7315

**STAFF RESPONSES TO
PRIOR PUBLIC COMMENTS**

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION Board and Commission Appointments (Based of 2008 Summer
RTC 08-177 Recruitment)

Staff Recommendation:

- Council confirms appointments from the candidates listed in this report, specifying the terms for each candidate for the board/commission that has multiple seats and terms;
- Council directs staff to include the remaining vacancies in the City's continuous recruitment efforts and to submit for Council's consideration all eligible applications received by the deadline established for the next round of board and commission interviews scheduled for July 15, 2008.

Staff Contact: Janice Clark, (408) 730-7595

3. RESOLUTION Adoption of the FY 2008/2009 Budget, Master Fee Schedule, and
MOTION Appropriations Limit
RTC 08–189

Staff Recommendation: Council Approve the FY 2008/2009 Recommended Budget, Fee Schedule, and Appropriations Limit as presented in this report.

Staff Contact: Grace Leung, (408) 730-2711

4. ORDINANCE 2007-0463 – Michael Kirkish [Applicant/Owner]: Application for related
MOTION proposals on three parcels totaling 46,212 square feet located at 408
RTC 08–182 Flora Vista Avenue, 421 South Bayview Avenue and 420 Flora Vista
Avenue (near East Iowa Avenue) in R-2 (Low Medium Density
Residential) and R-0 (Low Density Residential) Zoning Districts.
(Mitigated Negative Declaration)
- Tentative Map to subdivide three lots to nine lots,
 - Rezone from R-0 (Low Density Residential) and R-2 (Low Medium Density Residential) to R-1.5 (Low-Medium-Density Residential) and R-2 Zoning Districts,
 - Special Development Permit to allow six new single family homes.

Staff Recommendation:

- Council adopts the negative declaration;
- Council introduces an Ordinance to rezone 421 South Bayview Avenue, 408 and 420 Flora Vista Avenue from R-2 and R-0 to R-2/PD and R-1.5/PD;
- Council approves the Vesting Tentative Map for lots 1-9 (excepting lot 6); and
- Council approves the Special Development Permit for five new single family homes on lots 1-5 and with attached conditions, all as recommended by the Planning Commission.

Staff Contact: Surachita Bose, (408) 730-7443

5. MOTION Municipal Code 13.16 CITY TREES Policy Review – Sustainability of
RTC 08–181 Large Trees Species, Update of Official Street Tree List and Review of
Tree Replacement Policy – Study Issue

Staff Recommendation:

- Council supports the continued specification of large species trees, in most cases, as City street trees, and the necessary specifications of right-of-way, planting area, and building set-back to provide for the continued use of large species, with the understanding that certain conditions of some zoning applications may restrict the use of large species trees, in which case an appropriate species may be specified for such special application;
- Council does not make any changes to the Official Street Tree List at this time; and
- Council does not add other tree species to the approved tree removal list.

Staff Contact: Leonard Dunn, (408) 730-7598

6. RESOLUTION Review Housing Mitigation Fee Adjustment to Update Nexus Study and
MOTION Recommend Adjustment to Fee
RTC 08-190

Staff Recommendation:

- Council adopts a Resolution setting the Housing Mitigation Fee for FY 2008-09 at \$8.95;
- Council directs staff to use the Consumer Price Index (CPI) to index the fee in future years; and
- Council allows projects approved prior to July 1, 2008 to pay housing mitigation at the \$8.00 rate through December 31, 2008, and requires all future payments at the fee in place at the time of payment.

Staff Contact: Trudi Ryan, (408) 730-7495

7. MOTION 08-170 Consider Public Use of the Hendy Iron Man Museum for a
RTC 08-170 Cultural Amenity Walkable from Downtown (Study Issue)

Staff Recommendation:

- Council directs staff to conclude this study and send a letter of appreciation to the representatives from Northrop Grumman for their offer of space and the time they had committed to assist with this study; and
- Council directs staff to send a letter to the local museums and artist associations to express appreciation for their participation in the study.

Staff Contact: Cathy Merrill, (408) 730-7531

8. RESOLUTION Adoption of the Revised Seismic Safety and Safety Sub-element of the
MOTION Community Development Element (Study Issue)
RTC 08-178

Staff Recommendation: Council adopts by Resolution, the Revised Seismic Safety and Safety Sub-element of the Community Development Element as presented.

Staff Contact: Dayton Pang, (408) 730-7139

9. MOTION Adopt Candidate Assessment and Interview Process for New Sunnyvale
RTC 08-186 City Manager as Recommended by the City Council Subcommittee

Staff Recommendation: Council approves the candidate assessment and interview process for the new city manager developed by the City Council subcommittee.

Staff Contact: Erwin Young, (408) 730-7495

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft minutes of the Arts and Parks & Recreation Commissions joint meeting of May 21, 2008
- Approved minutes of the Housing and Human Services Commission meeting of May 28, 2008
- RTC 08-183 Board and Commission Application Process
- Study Session Summary – Presentation of Background Report for the Economic Development Strategy of June 3, 2008

- Study Session Summary – Refuse Collection Rates Cost of Service Study and Update on ChoiceCollect Changes to Residential Collection Policies and Procedures of June 3, 2008

ADJOURNMENT TO REDEVELOPMENT AGENCY

REDEVELOPMENT AGENCY

ROLL CALL

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

RDA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of July 17, 2007

RDA 1.B. MOTION Approval of Draft Minutes of Regular Meeting of August 21, 2007

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

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PUBLIC COMMENTS

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PUBLIC HEARINGS/GENERAL BUSINESS

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2. RESOLUTION Adoption of the FY 2008/2009 Budget for the Redevelopment Agency
MOTION of the City of Sunnyvale
RDA 08-001

Staff Recommendation: Agency adopts the proposed FY 2008/2009 Redevelopment Agency budget as recommended.

Staff Contact: Pete Gonda, (408) 730-7385

ADJOURNMENT OF THE REDEVELOPMENT AGENCY

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
June 10, 2008	Council Meeting	7 p.m.	Council Chambers
June 24, 2008	Council Meeting	7 p.m.	Council Chambers
July 15, 2008	Council Meeting	7 p.m.	Council Chambers
July 22, 2008	Council Meeting	7 p.m.	Council Chambers
August 12, 2008	Council Meeting	7 p.m.	Council Chambers
August 19, 2008	Council Meeting	7 p.m.	Council Chambers
September 9, 2008	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

June 11, 2008	Administrative Hearing	2 p.m.	West Conf. Room
June 11, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
June 16, 2008	Personnel Board	5 p.m.	Council Chambers
June 18, 2008	Arts Commission	6 p.m.	Council Chambers
June 19, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
June 23, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
June 23, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
June 25, 2008	Administrative Hearing	2 p.m.	West Conf. Room
June 25, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
July 2, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
July 7, 2008	Board of Library Trustees	7 p.m.	Council Chambers
July 9, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
July 14, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
July 14, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
July 16, 2008	Administrative Hearing	2 p.m.	West Conf. Room
July 16, 2008	Arts Commission	7 p.m.	Council Chambers
August 13, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
August 20, 2008	Arts Commission	7 p.m.	Council Chambers
September 10, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

June 10, 2008	City Council Meeting – Live	7 p.m.
June 11, 2008	City Council Meeting – Replay of June 10, 2008	7 p.m.
June 15, 2008	City Council Meeting – Replay of June 10, 2008	4 p.m.
June 24, 2008	City Council Meeting – Live	7 p.m.
June 25, 2008	City Council Meeting – Replay of June 24, 2008	7 p.m.
June 29, 2008	City Council Meeting – Replay of June 24, 2008	4 p.m.
July 15, 2008	City Council Meeting – Live	7 p.m.
July 16, 2008	City Council Meeting – Replay of July 15, 2008	7 p.m.
July 20, 2008	City Council Meeting – Replay of July 15, 2008	4 p.m.
July 22, 2008	City Council Meeting – Live	7 p.m.
July 23, 2008	City Council Meeting – Replay of July 22, 2008	7 p.m.
July 27, 2008	City Council Meeting – Replay of July 22, 2008	4 p.m.
August 12, 2008	City Council Meeting – Live	7 p.m.
August 13, 2008	City Council Meeting – Replay of August 12, 2008	7 p.m.
August 17, 2008	City Council Meeting – Replay of August 12, 2008	4 p.m.
August 19, 2008	City Council Meeting – Live	7 p.m.
August 20, 2008	City Council Meeting – Replay of August 19, 2008	7 p.m.
August 24, 2008	City Council Meeting – Replay of August 19, 2008	4 p.m.
September 9, 2008	City Council Meeting – Live	7 p.m.
September 10, 2008	City Council Meeting – Replay of September 9, 2008	7 p.m.
September 14, 2008	City Council Meeting – Replay of September 9, 2008	4 p.m.